

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 7, 1961
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by FATHER VICTOR GOERTZ, Christo Rey Church, 2109 East 2nd Street.

Councilman White moved that the Minutes of the Meeting of August 31, 1961, be approved with correction as noted by Councilman Perry on expiration date pertaining to a term on the Library Commission. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MR. TOM BROWN, Southwestern Bell Telephone Company, filed a brochure of the Austin Metropolitan Telephone Service, and outlined what their plan was as immediately building a service in Jollyville, similar to that in Manor, whereby residents in Jollyville may use the Austin Glendale-Homestead service. He outlined their plan to take care of Pflugerville, Roundrock, Leander, Webberville, Garfield, Creedmoor, Manchaca, Cedar Valley, Bee Caves and Marshall Ford, and set out the zone rates. Mr. Brown read a Resolution which he asked the Council to consider and adopt, endorsing the plan and request the Telephone Company to present the plan to the other city governing bodies that have regulatory authority within the area encompassed by the plan, to secure authorization for the plan and to proceed with the introduction of the plan in whole or in part as soon as the facilities are available. MAYOR PALMER stated this looked like a very fine plan, and that the Council would study it, and possibly discuss it more in detail with Mr. Brown sometime next week. He thanked Mr. Brown for his presentation.

The City Manager read a letter from MR. D. N. HIGGINS, JR., Chief Power Engineer, Brown & Root, recommending that the POWER SPECIALTY COMPANY, representing the Lapp Insulator Co., Inc. be awarded the contract for Item I, three chemical feed pumps, complete with motor drives and accessories as specified, Contract No. 72 for the sum of \$4,702.00, as follows:

"September 6, 1961

"Mr. W. T. Williams,
City Manager
City of Austin
P. O. Box 1160
Austin 64, Texas

"Dear Mr. Williams:

"In regard to our recommendation for the purchase of Item I, three (3) chemical feed pumps complete with motor drives and accessories as herein specified and designated as CFP-21, CFP-22, CFP-23, MD-217, MD-218 and MD-219, Miscellaneous Pumps, Contract No. 72, the following recommendation is submitted.

"The initial low bid was submitted by Hills-McCanna Company for \$2,045.00 for pumps identical to those installed on Unit No. I. These pumps are of the basic plunger type which have been used in this type service by central and industrial power plants over the last 30 or 40 years.

"While these pumps were the best available, the plunger pump has two disadvantages:

"A. A stuffing box which comes in contact with the chemical being pumped and consequent leakage due to deterioration of the packing.

"B. Also, in the plunger type pump, the plunger itself comes in contact with the chemical, and in the case of phosphates, there is also a tendency of the chemical to build up in the clearances of the pump and score the plunger, which results in leakage.

"C. The above items have lead to many shut-downs and costly repairs of the plunger type pumps.

"In the last few years a combination diaphragm-plunger type pump has been developed. This pump eliminates the stuffing box and prevents the plunger from coming in contact with the chemical being pumped.

"The Lapp Insulator Co., Inc. has developed and installed this type pump at various utility plants set forth in their proposal. The first of these units was placed in operation in 1957. We have checked with several of the users of these pumps, who have reported decided improvement in chemical feed service. Lapp Insulator Co., Inc. is the only one which has developed a diaphragm type pump capable of producing the design pressure set by the specifications. Milton Roy Co. and Hills McCanna Co. have also developed diaphragm-plunger type pumps which have been in chemical feed service since 1959, but these do not meet the specifications for discharge pressure. These companies advise that they expect to have a pump which would meet all requirements in the planning stage. The American Meter Company also advises they have a diaphragm-plunger type pump under design consideration.

"Therefore, in keeping with recommending the latest and most economical equipment available, our recommendation is that the Power Specialty Company, representing the Lapp Insulator Co., Inc., on the basis of the best bid and satisfactory delivery be awarded the contract for the above pumps for the sum of \$4,702.00.

"In order to avoid the escalator clause (10%) we recommend the acceptance of delivery of these pumps within six (6) months.

"We wish to thank the Mayor, the City Council, and yourself for your patience regarding our recommendation of this purchase.

"Very truly yours,
BROWN & ROOT, INC.
s/ D. N. Higgins, Jr.
Chief Power Engineer

"Approved
s/ D. C. Kinney
Director of Public Utilities
City of Austin"

Councilman White moved that the Council award the contract for the three chemical feed pumps to POWER SPECIALTY COMPANY for \$4,702.00. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

MR. SIDNEY PURSER, representing MR. BOB WILSON, who owns the triangle of property between Bellvue, Alice Avenue and 42nd Street, stated the people concerned do not want Bellvue paved. He stated it was nothing more than an alley but it is a dedicated street, with three property owners on Bellvue, and with very little traffic. Mr. Purser stated they would prefer to have it closed; that they were not complaining about the \$400.00 paving cost, but they just did not want it paved. It was pointed out there was a terrific maintenance expense involved. The matter was referred to the City Manager to look into and see what could be done. Later, in the afternoon meeting, the City Manager stated the Council had made an inspection last year of this area and decided not to vacate Bellvue. The Director of Public Works stated all of the streets in this addition would be paved with the exception of this one. The City Attorney stated he knew of a letter being written asking the Council not to vacate the street without a public hearing. The Mayor stated the Council would go look at this and consider it next week.

The Council had before it the appeal of MRS. GORDON GRIFFIN from the Planning Commission's decision on granting a special permit to CONTINENTAL OIL COMPANY to erect a filling station at 819-821 East 32nd Street. MR. RAYMOND RAMSEY, representing CONTINENTAL OIL COMPANY, stated they were requesting a special permit to construct and operate one of their modern service stations on the southwest corner of East 32nd and Red River. He described the area as one made up of multiple unit apartment dwellings across the street, and a highly developed community center--a large Texaco Service Station and other commercial

uses across Red River. His property had lain dormant and undeveloped, and he wanted to improve the character and appearance of the area. Suggestions of the Planning Commission and Building Inspector with reference to proper lines and buffer zones and approaches had been worked out in his plans, which would also incorporate all the features of the new look in filling stations--direct lighting and beautification. There would be no noises or late hours for this station. He described the plan briefly as to buffer zones, a five foot redwood fence encircling the south and west property lines, and sidewalks on Red River and East 32nd Street for safety for pedestrians. He stated that only through utilization of the special permit could residents be assured of the type of operation. MR. PATRICK H. DOWNING submitted letters protesting the filling station, and expressed opposition personally in that his nice home was directly across the street from the proposed station; there would be added traffic hazards and he feared for the safety of the school children; and he was fearful for the safety of the whole neighborhood which would be subjected to the danger of explosion from these 5,000 gallon huge trucks. MR. WILLIAM HILGERS, representing the TEXAS BIBLE CHAIR, 810 East 32nd, pointed out the Council had constantly refused to allow encroachment of commercial on the west side of Red River; and stated one of the compensations the Church could offer a director of the Bible Chair was an adequate quiet residence. He stated there was no need for a station here, and should this service station be permitted, the Church property would be depredated seriously, and asked the Council to deny the application.

MR. BOB LLOYD, Administrator of St. David's Hospital, speaking personally upon his observations, objected to the gasoline station in that it would present a hazardous problem for the children crossing the intersection, which has no traffic or school policeman to direct them. MR. W. E. LEWIS, 812 East 32nd, objected to the service station's going in. MRS. V. C. SWENSON, 808 East 32nd, stated the community was still coming back to object to a filling station at this corner; and if the station is permitted, the value of their beautiful homes would be lowered. MRS. N. M. GOODWIN, 808 East 31st, protested both by letter and personally, stating the neighborhood was ideally planned for families, and the City had provided a beautiful park and one of the best schools in the city and had provided advantages for families; and she asked that their property values and advantages not be deteriorated for one service station. MISS ELLA MAE FORD, 811 East 32nd, noted the Council had asked the neighborhood for a compromise measure when it voted "O", and she had stated she would accept "O" if no filling station were asked for. MRS. E. F. GUMMILT, 808 East 31st, a recent purchaser, stated they would not have purchased their home had there been a filling station at this location. MRS. FLOYD DUNAWAY, 610 Rathervue, expressed opposition. MRS. S. W. BOHLS stated the area from Park Place on down to 32nd had no streets, and the children in the area had to use Red River; that 32nd Street was a short street with a high hill, and many pets were killed and she feared for the lives of the children. A filling station at 32nd and Red River would devalue the property. She pointed out the condition of Hampton Road. MR. BOLANDER stated there was no need for a filling station at this area; and if it goes in, the trend will stretch farther into the residential area, which has a natural boundary. MR. GORDON GRIFFIN pointed out disadvantages to the station should Red River be widened 10-20' on the west side; stated the lot was in an unsightly condition; and even though it is said anything would improve the lot, he did not want a filling station next to his property. MRS. SCHARBROUGH did not want commercial uses brought into this natural residential neighborhood.

MR. RAMSEY asked why the children were not given protection in their crossing the intersection if it were so hazardous, and stated he was going to provide them sidewalks. He discussed the building construction, the canopy, the ability to move the building should the street be widened. He noted Red River was changing from a residential street to a thoroughfare. He displayed pictures of Mr. Griffin's property and stated within the last 90 days, he had been using it as commercial in a non-conforming use.

MAYOR PALMER stated the application had been before the Council on many other occasions, and the property is still undeveloped. He stated he believed the influence to the neighborhood had already been created by the development across the street where there is a filling station, barbecue stand, drug store and other things. He noted this special permit had been recommended by the Plan Commission.

The Mayor asked those who wished to grant the special permit to CONTINENTAL OIL COMPANY to erect a filling station at 819-821 East 32nd Street and 3106-3110 Red River Street to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Shanks, White, Mayor Palmer
Noes: Councilmen Armstrong, Perry

Councilman Armstrong made the following statement regarding his vote:

"It looks as though this was settled once before on the compromise, and I will have to vote 'no'."

Councilman Perry made the following statement concerning his vote:

"There has to be a line somewhere, and it seems a line for commercial development should be Red River; and when you cross Red River, it is like Caesar's crossing the Rubicon. History says he stopped and thought for a long time before he crossed. This is the same idea. There should be some very good reasons for crossing Red River with commercial development. I agree with Mr. Armstrong that this matter was hashed out pretty thoroughly in the past, and it was more or less an agreement by all parties that "O" Office was the proper use for this property. As far as the Planning Commission decision is concerned, it was three to two decision. This is a legal decision. I personally would like to see more than three votes on the Planning Commission on an issue of importance like this, and I like Mr. Barrow's minority report--that he did not feel this property was proper for commercial development--and the minority report makes more sense than the majority report. I will vote 'no'."

The Mayor announced that the special permit had been granted by a three to two vote.

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MR. BOW WILLIAMS made inquiry if the Bible Chair at 810 East 32nd paid any taxes. The Mayor stated a study would be made of various items that Mr. Williams had been interested in. Mr. Williams inquired about the Chamber of Commerce, and it was stated it did pay taxes and rent.

The City Manager submitted the following:

"September 5, 1961

"W. T. Williams, Jr.
City Manager
Austin, Texas

Dear Mr. Williams:

"Sealed bids were received until 2:00 P.M., Tuesday, September 5, 1961, at the Office of the Director of the Water and Sewer Department, for the installation of a Water Distribution System Improvements in East 51st Street, Berkman Drive, Clifford Avenue, Sanchez Street, East 13th Street, East 14th Street, and Alexander Avenue. The bids were publicly opened and read in the Second Floor Conference Room, Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>Firm</u>	<u>Amount</u>	<u>Working Days</u>
Walter W. Schmidt	\$11,658.90	50
J. W. Fainter	12,512.65	65
Fairey-Simons Company, Incorporated	12,638.05	60
Austin Engineering Company	13,828.55	50
Wagner-Wehmeyer	14,103.27	60
J. R. Barnes Engineering Company	14,726.40	80
Bland Construction Company	17,169.15	75

"It is recommended that the contract be awarded to Walter W. Schmidt, Contractor on his low bid of \$11,658.90 with 50 working days.

"Yours truly,

S/Victor R. Schmidt, Jr.,
Superintendent Water Distribution

S/ Albert R. Davis,
Director Water and Sewer Department"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 5, 1961, for the installation of a Water Distribution System Improvements in East 51st Street, Berkman Drive, Clifford Avenue, Sanchez Street, East 13th Street, East 14th Street, and Alexander Avenue; and,

WHEREAS, the bid of Walter W. Schmidt in the sum of \$11,658.90 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director, Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Walter W. Schmidt in the sum of \$11,658.90 be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Walter W. Schmidt.

The motion, seconded by Councilman Shanks, carried by the following vote:
 Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
 Noes: None

The City Manager submitted the following:

"Sealed bids opened August 16, 1961 2:00 P.M.
 Tabulated by: O.G. Brush, Purchasing Agent

"CITY OF AUSTIN BIDS FOR RECAPPING AND VULCANIZING CONTRACT
 Sept. 1, 1961 - August 31, 1962

	General Tire Service Co.	B & R Tire Service	Austin Goodyear Tire Company	Walker Tire Company
Recapping, spot and Section repairs on Tires	<u>\$3,271.11</u>	\$3,601.65	\$3,802.93	\$3,278.41

Low bid last year by Goodyear
 using present estimated quantities - \$3,801.40

"NOTE: Unit prices of recapping and vulcanizing tires this year lower than 1960. It is the City Attorney's opinion that the low bid of General Tire Service is legally correct.

"RECOMMENDATION: Recommend low bidder, General Tire Service Company be awarded contract for recapping and vulcanizing.

"W. T. Williams, Jr. City Manager"

"August 30, 1961

"TO: Mr. W. T. Williams, Jr.
 City Manager

"SUBJECT: General Tire Service Co. Bid for Tire Recapping

"At your request I have examined the bids recently submitted by General Tire Service Company and others for recapping and spot and section repairs, and do not find any legal objection to the award of the contract to General Tire Service Company.

"The bid sheet used for tabulating purposes to determine which was the lowest bid required specific submission, per unit, for various sizes of tires using "natural rubber". The prices inserted under this column by this bidder are specific and legally controlling for natural rubber whether the bidder wanted them to be or not. His subsequent letter affirming this fact does not add to or take from his obligation under this section of the bid. Hence his is the low bid, without considering the additional voluntary agreement by him to provide natural rubber at the same cost on infrequently and seldom-used items which were not specified and which were thus not taken into account in tabulating the bids to determine which was low.

"Doren R. Eskew
City Attorney"

Councilman Armstrong offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on August 16, 1961, for the recapping, spot and section repairs on tires; and,

WHEREAS, the bid of General Tire Service Company, in the sum of \$3,271.11, was the lowest therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of General Tire Service Company, in the sum of \$3,271.11 be, and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with General Tire Service Company.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Council postponed action on awarding the contract for intravenous solutions until next week on the request of Councilman White who wants to check with some doctors about their reasons for not wanting to change companies. In discussion the City Manager explained that previously, specifications for intravenous solutions had included there be a local representative who would have on hand an additional supply. The only bidder that could qualify was WILSON X-RAY, and the Council discussed this point about two years ago. Up until this time there was very limited capacity of storage, and it had been felt there should be a supplier with local stock. The different manufacturers bidding this time had different equipment for administering the solutions, and had held demonstrations at the Hospital, the medical staff and hospital staff coming in and making a determination if these were qualified. The City Manager stated the low bidder, the AMERICAN STERILIZER COMPANY has its office in Dallas, but they have dependable overnight delivery. They have a local man, MR. W. M. HART, who will, if this Company is awarded the contract, maintain an emergency supply at his home.

The City Manager recommended the American Sterilizer Company stating it was also the recommendation from the Hospital Staff, but also pointing out that the Medical Staff had recommended no change. He said the question was, is it more advantageous not to change, or more advantageous to take the low bid. MR. W. M. HART, AMERICAN STERILIZER COMPANY, repeated they were low bidder, and had demonstrated to the nursing staff who administer to the patients, and had received only favorable comments. Mr. Hart said the Medical staff gave no medical reasons for their recommendation. The American Sterilizer Company has been servicing Robert Green Hospital in San Antonio for the past two years, and Mr. Hart reported there had been no problems in either the change or the overnight servicing. MR. R. T. WILSON stated his company had the business, had been taxpayers for years, and have just finished a building to house their merchandise. According to his opinion, the main difference in the bids amount to \$2,000 a year. He stated of the surgical merchandise and equipment that is purchased, this amount represents less than 8% of the hospital budget. He said it took around 5 to 8% to make a change in the solutions because of the waste involved in the nurses' time in getting used to new procedures, etc. Mr. Wilson noted this business had not been out of Austin for 15 years. MR. TOM BLOOMER, CUTTER LABORATORIES, stated it would cost to change from Cutter to American, or visa versa; that a 5% usually is specified in bids as a minimum charge. He said the doctors at Brackenridge did not want to change an established technique. He pointed out their Company bid 35% off their list price, and went out of their way to give the doctors the product they say they prefer. MAYOR PALMER inquired if this 35% were the best he had given any hospital, and he stated it was not. Mr. Wilson stated he bid 5% less than cost and made explanation. COUNCILMAN SHANKS wanted to know the reasons the doctors recommended the bid other than the low bid. MR. ROBERT DUKE, AMERICAN STERILIZER COMPANY, said he understood it was not for any medical reasons, but because they did not want to make a change. COUNCILMAN WHITE wanted to defer the awarding of the bid until next week until he could do some checking. MR. ROBERT DUKE, referring to the cost for changing, stated in the Hospital of Oklahoma, the only clause in the specifications regarding the cost of change-over, was that the bid must be \$500.00 lower than the one previously servicing the Hospital; and pointed out that was considerably less than the 5%, as it was not that costly to change. It was brought out that Baxter Laboratories, Dallas, serviced Seton's. MAYOR PALMER stated the Council had no question of the company's ability to perform, but Councilman White had asked for an opportunity to check with the doctors. COUNCILMAN WHITE stated if there was no reason why the doctors' recommended the higher bid other than they did not want to change over, he was always in favor of the low bid, but he wanted to put this off and check with some doctors. MAYOR PALMER stated the Council would study this and decide next week.

The Council recessed until 3:00 P.M.

RECESSED MEETING

3:00 P.M.

At 3:00 P.M., the Council resumed its business.

MR. ROBERT POTIS, representing AUSTIN CHAPTER, CYSTIC FIBROSIS, stated this Chapter had its headquarters in Wooten's Dormitory Building, 2100 Block Guadalupe, and asked for two parking spaces to be set aside for their volunteer workers during the rest of this month. He pointed out other places where meters had been capped. The Mayor inquired if, other than setting a precedent, would there be a legal right. The City Attorney stated not the way the ordinance reads. The City Manager said he did not know how they would keep others out of

the parking spaces. The Mayor stated many requests similar to this had been turned down.

MR. A. B. STRICKLAND, Inspector, Texas and Southwestern Cattle Raisers Association, Buda, Texas, stated the Legislature passed a law pertaining to slaughterers that they must keep a brand record. The Superintendent of the Abattoir, Mr. Eldred Perry, had told him that he wanted the Cattle Raisers Association to do the work and check the brands, as the city did not want to get in the brand inspection business. The slaughterers agreed to pay eight cents a head to have that inspection done. Mr. Eldred Perry collected the charge for the Association and the Association furnished the inspector. Mr. Strickland stated Mr. Eldred Perry now informs him that the Abattoir will do this work. Mr. Strickland did not believe the employee that was to do this additional work would have time to do it; nor could he see too well. He asked that the Inspector be left on as is. The amount runs about \$200.00 per month. After discussing the matter with Mr. Strickland, Mayor Palmer stated the matter would be gone into with the Manager of the Abattoir and Mr. Strickland given an answer soon.

Councilman White moved that the Council accept the withdrawal of the following zoning application at the request of the applicant:

MRS. JNO L. MARTIN	1601-1603 No. Congress	From "B" Residence
By Mr. Joe Lundell	100-102 East 16th	To "IR" Local Retail
	Street	NOT Recommended by the Planning Commission

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING TO PUBLIC TRAVEL 5,606 SQUARE FEET OF LAND, SAME BEING OUT OF AND A PART OF THAT CERTAIN STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, KNOWN AS ARCHWAY; RETAINING EASEMENTS FOR DRAINAGEWAY AND SANITARY SEWER PURPOSES; AND SUSPENDING RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Armstrong moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Armstrong moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Armstrong moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

No action was taken on the ordinance covering the zoning change of FRANK E. MONTGOMERY, Rear of 1708-1714 Manor Road, from "A" Residence to "B" Residence 2nd Height and Area, pending receipt of agreement that only 61 apartment houses were to be erected on the one tract, and that the other tract was to be for drives, off-street parking, etc.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 4, THE EAST 43 FEET OF LOT 5, AND THE WEST 38.5 FEET OF LOTS 1-3, BAHNS SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) (A) THE NORTH 48 FEET OF LOT 5 AND THE NORTH 48 FEET OF THE EAST 51 FEET OF LOT 6, BLOCK 77, ORIGINAL CITY OF AUSTIN, AND (B) A PORTION OF TWO LOTS AND AN ADJOINING STRIP OF LAND FRONTING 90 FEET ON THE WEST RIGHT-OF-WAY LINE OF RIO GRANDE STREET, LOCALLY KNOWN AS 704-706 RIO GRANDE STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (2) AN INTERIOR TRACT OF LAND CONTAINING AN AREA OF 2106 SQUARE FEET, LOCALLY KNOWN AS 6501-6503 AIRPORT BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (3) A PORTION OF A TRACT OF LAND FRONTING 30 FEET ON THE WEST RIGHT-OF-WAY LINE OF NORTH LAMAR BOULEVARD, LOCALLY KNOWN AS 8300 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (4) (A) THE WEST 46 FEET OF LOT 2, BLOCK 105, ORIGINAL CITY OF AUSTIN, AND (B) THE NORTH 46 FEET OF LOT 1, BLOCK 105, ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; (5) (A) THE NORTH 200 FEET OF BLOCK 3, ROSEDOWN, LOCALLY KNOWN AS 2205-2213 HANCOCK DRIVE AND 5009-5011 CRESTMONT DRIVE, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT, AND (B) BLOCK 2, AND BLOCK 3, LESS THE NORTH 200 FEET OF BLOCK 3, ROSEDOWN, LOCALLY KNOWN AS 4904 TYLER STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (6) LOT 58 AND THE EAST 20 FEET OF LOT 59 OF THE SUBDIVISION OF OUTLOT 55 DIVISION B, LOCALLY KNOWN AS 1118-1124 EAST 11TH STREET, 1150-1158 LYDIA STREET AND 1111-1113 JUNIPER STREET, FROM "A" RESIDENCE DISTRICT AND "C-2" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND (7) LOTS 2 AND 3, ARBOLES TERRACE, FROM "C-1" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; ALL OF ABOVE PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following location during the times stated is less than thirty (30) miles per hour when pedestrians are present, due to the proximity of said street to the Pecan Springs School; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles on school days during the hours of 7:00 A.M. to 4:00 P.M. when pedestrians are present is twenty (20) miles per hour at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Manor Road	500 feet north of Rogge Lane	500 feet south of Rogge Lane

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The City Manager made a report on the Traffic and Transportation Department recommendation on a one-way street pattern in and out of the Lanier Junior-Senior High School. He stated the School and the streets were outside the city limits, and that County Commissioner GAULT was working with them to get something satisfactory to cut down on the traffic congestion.

Councilman Shanks reported a call he had about a wrecked motorcycle just nine feet from the city line, and the man called the Police Department but he was told the vehicle was in the county and could not do anything about it. The City Manager reported that was correct.

The Director of Recreation stated he had met with the School Superintendent regarding the division and planning of the school-recreation site at Stassney Road and Manchaca Road. The Mayor read the following:

"A SUGGESTED MEMORANDUM OF AGREEMENT for THE JOINT PLANNING OF A
SITE FOR A SECONDARY SCHOOL AND A DISTRICT PARK

"Whereas, the Austin Public Schools and the City of Austin have each purchased 40 acres of adjoining land in Southwest Austin at Stassney Road and Manchaca Road for a secondary school and a district park. It is felt that the best interest of the public will be served by joint use of some of the land and some of the facilities expected to be constructed for the school or for the recreation program.

"Therefore, it is generally agreed by the administrators of the Public Schools and the City that every effort will be made to plan the two land areas so they will blend into a single unity. Also the principles of joint planning will be given to such facilities as will serve both programs. It is envisioned that a swimming pool and a recreation center might be constructed in such proximity of the school building so they may be used for the school instruction program and the public recreation program. Tennis courts, athletic fields, gymnasiums, parking area, etc., also should be planned for joint use. "

A map was shown as to the division of the property. COUNCILMAN SHANKS suggested that the school officials get together with the City and meet out on the ground and work the division line out. The City Manager stated that MR. TOM GRAHAM, MR. CARRUTH, and MR. MAYHALL from the Schools, along with the Council liaison member, COUNCILMAN SHANKS, MR. SHEFFIELD, and MR. OSBORNE and himself were members of a committee to work together.

The City Manager stated that there was some construction work that had been scheduled but had not been able to get under way, and it was decided to use outside engineering work, particularly on a 24" water line in Speedway from 21st to 33rd Street to reinforce that part of Austin. The Water and Sewer Department had talked to MR. ISON HALE who had agreed to do the engineering work on the same basis that had been worked out with the others--5% for preliminary engineering, design, complete engineering and supervision, three fourths of which would be paid for the preliminary and design phase of the work. He stated the preliminary phase had already been done, so the actual fee would be less. He reviewed the various contracts with other engineers on large construction, and that Mr. Hale was to have several of the smaller projects. Councilman White moved that the City Manager be authorized to enter into an agreement with MR. ISON HALE for this engineering work on the 24" water line in Speedway from 21st to 33rd Street. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

The Director of Public Works stated property owners on Hampton Road from Park Place to East 30th had petitioned to leave the curb in for 25' street instead of widening the street to 30'. The reason was that Beanna Street was paved 25' with parking restricted on one side of the Street, as was Leonard and Park Place. They requested that the street remain 25' and that the Council restrict parking to one side of the street only. He recommended that since the street was only one block long, and the other streets in the area were 25' streets that it stay that width. The City Manager recommended this, since development had already taken place in this area. Councilman White moved that the Council permit the paving of Hampton Road from Park Place to East 30th to a width of 25' with curb and gutter, and that an ordinance be prepared prohibiting parking on one side. The motion, seconded by Councilman Armstrong, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

Councilman Armstrong made inquiry about Mr. Henry Wire's request for vacating easements on Fredricks Lane. The Assistant City Manager, MR. JIM WILSON, stated the letter was referred to the Department of Public Works and the request is being processed.

MR. ARTHUR DeWITTY, and a delegation composed of REV. McCORMICK, REV. WESLEY S. SIMMS, JR., REV. H. A. SNEED, and MR. RAMBO, appeared before the Council inquiring about the issues to be considered at the Election on September 16th-- the firemen's issue, Brackenridge Hospital; and to discuss recreation needs. MAYOR PALMER, in discussing the firemen's issue, stated prior to the initiative petition the Firemen brought to the Council, the City was in the process of studying the job classifications of the Fire Department along with other Departments. This is done through a job evaluation committee, consisting of city employees who are pretty much of a cross section of the city organization. The Firemen's request was then being studied. In 1959, the Firemen's hours were cut from 63 to 60; and shortly after that, they came back in asking for consideration for a pay raise. At that time the Council asked the City Manager to study the job classification along with other city employees. The Mayor stated the City was in the process of determining the evaluation of Hosemen, Ladderemen, Drivers, Captains, District Chief and Assistant Chief--five classifications that were being studied. Job evaluation, based on responsibility, education required, hazards, and various other things, is a very accurate system. It has proved to be very satisfactory as the other 2750 employees seem pretty well pleased with it. The Mayor stated when the Firemen saw that, based on this type of factual information, they might even drop a point or two below the police evaluation, their representative MR. SILAS FOSTER, went to his group and they decided to pull out of the study, and take the matter directly to the people. The Mayor stated they came to him on Saturday before May 15 and told him they were running their ad and were getting a petition calling for an election, as there would be a new Council, and their time was running out in order to get in before the budget was completed. He had explained to the Firemen that the two new Council members would not have had an opportunity to study the request and that when the Firemen filed a petition and took the matter to the voters, they were going around the Council. The Mayor read the Firemen's initiative petition. He explained that in effect they were freezing the job classifications that were in effect on May 1, 1961, so that what they will have is: Captain, who now may be in Group III, will always be on an equal or par with a Lieutenant in the Police

Department in Group III; Hosemen, Laddermen and Patrolmen would be in Group I; Drivers and Police Sergeants in Group II, and District Chiefs and Police Captains in Group IV. There are 74 Captains in the Fire Department, and each Captain has two men to supervise besides himself--a driver, hoseman or ladderman and the Captain. In that same rank in the Police Department there are only 24 Lieutenants, and those 24 men each are responsible for 18 to 36 men at all times. One man who has two men under his jurisdiction would not have equal responsibility to a man who is responsible for 18-36. He stated that is where the inequities were. He pointed out the Captains in the Fire Department would be raised to \$440 per month; 74 men would be raised to \$440, which is a base salary. They are now receiving \$370 base pay per month, but that is not all of their pay. In the group where there are the District Chiefs, there are 14; but only seven Captains in the Police Department.

In 1957, the City gave our policemen and firemen a longevity pay of \$3.00 per month for each year of service, and nearly every other city gives only \$2.00 per month. Our city chose to give \$3.00 and that made another increase. If one has 10 years with the City, his 10 years' service would entitle him to another \$30.00 per month, plus the \$440, right at \$500.00 per month. The firemen are asking that the longevity be frozen at \$3.00 when other cities are not paying but \$2.00; and based on conditions and our City's ability to pay, we would like to pay it as long as possible, but there is the tax rate always staring the Council in the face.

The Mayor stated that based on what the City now has, it will cost \$165,000 additional a year provided there is no growth and the Fire Department is not increased. That will take a four cent tax increase to meet this payment.

The Mayor stated in addition, the Firemen said this: "Providing the Firemen and Policemen shall have the same number of holidays or days in lieu thereof that is granted to other municipal employees, and such holidays shall not be charged against or subtracted from the vacation time to which firemen or policemen are entitled." Under the State law the firemen and policemen are entitled to 15 working days vacation. All other city employees get 10 working days. The firemen want these 15 working days plus the seven holidays which gives them a vacation of 22 working days per year. That really runs over 30 calendar days a year.

Mayor Palmer stated he wanted to repeat what he had said many times; and that is that the Council was proud of its Fire Department; it is a fine Fire Department, and there was no argument. They are fine, well trained men.

The Mayor stated the Council had tried to be fair with the Firemen, and reviewed the raises given the Firemen since 1955.

January 7, 1955, the hours were cut from 72 to 63.

The Pension Fund was increased from 3 to 4%, which cost the city \$7,000 a year, and which costs more now due to increase in personnel, and a general wage increase.

October, 1956, the hosemen and drivers were raised.

In 1957, a \$60.00 a year clothing allowance was voted by the Council, and the fire fighting equipment was furnished in addition.

Also in 1957, the longevity was increased from \$2.00 to \$3.00 a month.

In 1958, a \$25.00 increase was given to the hosemen, \$25.00 to the drivers, \$30 to the Captains, \$40 to the District Chiefs, and \$50 to the Assistant Chief.

In 1959, the hours were cut from 63 to 60. Although three hours a week cut did not sound like much, it amounted to \$245,000, including the additional personnel.

The 1954-55 payroll was \$775,000. The 1959-60 payroll was \$1,216,675. This is a 57% increase in payroll of the Fire Department in the last six years.

The Mayor stated the total man-power increase brought about by shortening the hours and a few expansions and additional fire halls increased the personnel by 60 people, or 31% increase in man power. He stated the Council was being fair to the Firemen, and it wanted to be fair to all of the City employees. He pointed out there were 2,263 city employees making less money than the beginning base pay of the firemen. He stated this had not been hasty thinking or study. He stated that all of the firemen were not in accord with this petition as they feel they have been treated fairly. The Mayor stated the Firemen came to the Council, and it studied the request and decided their request was not reasonable. The City Attorney stated it would not have been fair to the Police Department and the other city employees.

With regard to the Hospitals, Mayor Palmer stated the cost of government, whether city, county, state, or Federal, was going up; and that all the Council wanted to do was to let the people, the stockholders, know that the three items listed on the ballot (The Abattoir, Hospital, and Cemeteries) were costing one-third of the taxes. The Council wanted to find out if the people wanted it to do something about these services. About seven or eight hundred employees are represented. He asked if the people wanted to continue these services, knowing they were costing that much money, and pointed out the Abattoir had been losing from \$25 to \$35,000 a year; the Cemetery is costing over \$90,000 a year above the sales and the Hospital, whether it is called deficit or charity costs, runs at \$1,500,000 a year loss. He said there were several people interested in the Abattoir, and several interested in the Cemetery. Regarding the Cemeteries, all that the Council had in mind was selling the unplatted or unsold portion, and investing that money to maintain the perpetual care of those lots that we are already obligated for. It was pointed out the propositions on the ballot was not whether these items should be sold, but whether or not the city should get out of the hospital business, cemetery business, and abattoir business. The City Attorney stated there were a number of ways the City could get out of the Hospital Business, and stated one way was to have a district hospital. The Mayor stated over 12 months ago it was recommended that a study be made for the needs of the City, and a report made on just where Brackenridge fit into the picture. He pointed out no other Hospital was doing any of this charity work at all, and Brackenridge was the only one that had an emergency ward. If Hospitals are to remain in a tax exempt status, they may assume a considerable part of the charity work in lieu of taxes and they could do the work now being done at Brackenridge. He stated that even if the indigent care was costing \$1,200,000 that this City would not let anyone die for lack of a hospital. The Mayor stated a little over half of the assessed valuation was exempt as hospitals, state, churches and

governmental properties. The Mayor stated there were three possibilities for the hospital--(1) a sale to private individuals; (2) a county-city hospital, and (3) the creation of a district hospital and the levy of a special tax to take care of it.

MR. ARTHUR DeWITTY stated his group was satisfied with the explanations, and the facts are pretty sound. He stated he did not see how they could be any sounder.

The group discussed recreation projects needed in the Rosewood Park Area. Listed were the following:

- (1) A fence around Rosewood Park.
- (2) Help from the Police Department for patrolling the parking in the park after hours, and getting the people out of the park after closing time.
- (3) Airconditioning for the Club house, as the present attic fans do not serve the purpose.
- (4) General overhaul of the building, and putting stucco on it; enlarging the building some, putting the kitchen on a second floor and making more facilities in the Club House.
- (5) Clean the big ditch on the west side, which ditch is unsightly, full of weeds, snakes, beer cans, mosquitoes, etc. The children knock their balls in the ditch and lose them.
- (6) Added personnel for the park for maintenance work and for assisting the Director, who has eight playgrounds.

Mayor Palmer asked if the group could get more participation in Oak Springs.

MR. DeWITTY reported a case for investigation in the death of ONNIE AUSTIN at Brackenridge Hospital. The Mayor referred Mr. DeWitty to the City Manager who would work with him. The Mayor stated an investigation was made and the doctors agreed the patient received the proper treatment and care, but he was almost dead at the time he came to the hospital.

The Assistant City Manager displayed designed meter-hoods for the downtown parking meters for Saturday afternoons. MR. WARREN BEAMAN, representing Downtown Unlimited had submitted these sacks to the Assistant City Manager and wanted to get approval of them. After discussion, the Council decided there should be no advertising on the parking meters, advertising "down town", and changed the wording to appear on the hoods to "Park Free every Saturday Afternoon Courtesy, City of Austin". It was pointed out that the parking meter revenue had fallen off.

The Assistant City Manager submitted a request from the North Austin Exchange Club Little League, who was using property owned by H. E. Butt, and who are moving to property owned by the State Health Department. Since this League started some six or eight years ago, the City changed its policy in the electrical rates, which requires when new service goes in that required a primary meter, the customer had to supply the transformer. The Electric Department told the Club when they rebuilt, they would have to supply their own transformers. The Assistant City Manager explained the difference in this case from the others as this Club had their field and were moving it. The Council discussed the policy.

The Assistant City Manager stated if it were a matter of moving those two transformers it was agreeable with the Council. If it involved any type of new equipment or new transformers, or additional transformers, it should be worth further consideration.

The Assistant City Manager stated Councilman Perry had inquired about the policy regarding the van trucks' parking in the street and almost blocking all of the lanes in front of some of the storage houses. This matter was discussed thoroughly. The Chief of Police suggested that a thorough study be made of the entire city rather than any one certain location. No action was taken by the Council at this time.

MAYOR PALMER read a note of acknowledgment from MRS. JOE HUFFMAN, JR.

MAYOR PALMER announced an invitation to the meeting of the South Texas Business Affairs in San Antonio, September 12th.

COUNCILMAN ARMSTRONG made a report on some matters told to him by MR. TOM PENICK regarding the Golf Course.

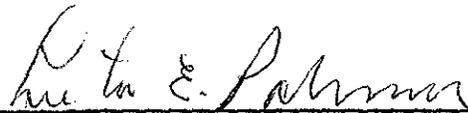
COUNCILMAN ARMSTRONG stated MR. ROD KENNEDY called regarding the Ballet Plaque. The Mayor stated the Council authorized them specifically that the plaque could be hung in a committee room; because if the practice is once started of permitting the plaques to be hung in the lobby, there will be no stopping place, and the impression will be left that those people contributed to the Auditorium.

There being no further business, Councilman Armstrong moved that the Council adjourn. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Armstrong, Perry, Shanks, White, Mayor Palmer
Noes: None

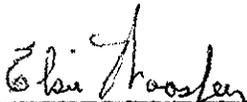
The Council adjourned at 7:20 P.M., subject to the call of the Mayor.

APPROVED



Mayor

ATTEST:



City Clerk